

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Stephen Kane, Associate Justice; and Charlene Ynson, Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

F057387 In re M.S., a Minor

Cause called and argued by Darlene Kelly, Esq., counsel for appellant and by James Tarhalla, Esq., Deputy County Counsel, counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, Acting P.J., Levy, J. and Kane, J. leave the bench; they are replaced by Wiseman, Acting P.J., Cornell, J. and Gomes, J.

F055385 George v. CA Unemployment Insurance Appeals board

Cause called and argued by Noreen Patricia Skelly, Esq., Deputy Attorney General, counsel for appellant. Joseph Donald Clapp, Esq., counsel for respondent.

Cause ordered submitted.

F056375 Delcambre v. Golden Gate National Senior Care, LLC et al.

Cause called. Pursuant to a Notice of Settlement of the case and request for waiver by Sean Cowdrey, Esq., counsel for appellant and by Edward Lara, Esq., counsel for respondent, received this date the above-entitled cause is taken off calendar.

Counsel for appellant to file a request for dismissal within 45 days from today pursuant to California Rules of Court, rule 8.244 (c).

If no request is filed within the time provided, this court will dismiss the case pursuant to California Rules of Court, rule 8.244 (a)(4).

At this point Wiseman, Acting P.J. directs Cornell, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Hill, J.

IN THE

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F057128 People v. Covarrubias

Cause called and argued by Allen g. Weinberg, Esq., counsel for appellant and by Judy Kaida, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, November 12, 2009 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Stephen Kane, Associate Justice; and Charlene Ynson, Clerk/Administrator, by Judy Evans, Assistant Deputy Clerk.

F056542 In re E.S., a Minor

Cause called and argued by Candice L. Christensen, Esq., counsel for appellant and by Lloyd G. Carter, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F056860 Ozuna v. McFarland Unified School District et al.

Cause called and argued by Heather Phillips, Esq., counsel for appellant and by Chaka Chuba Okadigbo, Esq., counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, Acting P.J., Levy, J. and Kane, J. leave the bench; they are replaced by Wiseman, Acting P.J., Cornell, J. and Hill, J.

F055888 People v. Stanton

Cause called and argued by Phillip M. Brooks, Esq., counsel for appellant and by William K. Kim, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

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Fifth Appellate District

F056245 Vo v. Mitsathaphone

Cause called and argued by Todd W. Baxter, Esq., counsel for appellant and by Joseph DiMonda, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, November 17, 2009 at 10:00 A.M.

F058214 In re D.M., a Person Coming Under the Juvenile Court Law

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F057143 Benedict v. Kern County Employees' Retirement Association, Board of Retirement

The judgment denying the petition is reversed. The case is remanded to the trial court with directions to apply the independent judgment standard of review. Appellant shall recover his costs on appeal. Wiseman, Acting P.J.

We concur: Gomes, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058135 In re A.A. et al. , minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F056173 People v. Feliz

The judgment of conviction is affirmed. The matter is remanded to enable the trial court to recalculate the number of good-time/work-time credits earned and to prepare an amended abstract of judgment awarding Felix the number of credits he is entitled to as limited by section 2933.1. Copies of the amended abstract shall be distributed to the appropriate authorities. Wiseman, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056970 People v. Jeffers

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F056970** **People v. Jeffers**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F056971** **People v. Jeffers**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F056971** **People v. Jeffers**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F057128 People v. Covarrubias

The judgment is reversed and remanded to the trial court with directions.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F056387 In re the Marriage of Thomas

Filed order denying request for publication of the opinion.

F055957 People v. Stanbrough

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F056627 People v. Whittall

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F056627 People v. Whittall

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]